

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND )  
COMPOUNDING PHARMACY, INC. )  
PRODUCTS LIABILITY LITIGATION )  
 ) MDL No. 13-md-2419-RWZ  
v. )  
 )  
This Document Relates to: )  
 )  
All Cases )  
 )

**AFFIDAVIT OF PETER G. HERMES**

I, Peter G. Hermes, on oath and of my own personal knowledge, state as follows:

1. I am an attorney at law licensed to practice before the Courts of the Commonwealth of Massachusetts. I am a Shareholder at Hermes, Netburn, O'Connor & Spearing, P.C. and I represent Liberty Industries, Inc. in this matter.
2. Attached as Exhibit 1 is a true copy of an excerpt from the United States Pharmacopeia <797> "Pharmaceutical Compounding-Sterile Preparations;"
3. Attached as Exhibit 2 is a true copy of a letter dated Jan. 2, 2014 from Nicole Dorman to Marc Lipton;
4. Attached as Exhibit 3 is a true copy of an e-mail chain dated Mar. 7, 2014; and
5. Attached as Exhibit 4 is a true copy of an e-mail chain dated Mar. 31, 2014.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 7<sup>th</sup> DAY OF APRIL, 2014.

/s/ Peter G. Hermes  
Peter G. Hermes

**CERTIFICATE OF SERVICE**

Pursuant to Local Rules 5.2(b)(2) and 5.4 of the Local Rules of the United States District Court for the District of Massachusetts, I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be sent by first-class mail to those indicated as non-registered participants, if any, on April 7, 2014.

*/s/ Peter G. Hermes*  
Peter G. Hermes